IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.1040 OF 2006
IN
APPEAL NO.63 OF 2006
IN
ARBITRATION PETITION NO.316 OF 2005

Smt.Sukhalata H. Kotian & Anr. ....Appellants
V/s.
Sudesh H. Kotian & Ors. ....Respondents

Mr.M.P.S. Rao i/b M/s.Shaunak Satpute & Co. for the Appellants.

Mr.C.U. Singh, Senior Counsel i/b Sanjay Udeshi & Co. for Respondent Nos.1 and 2.

Mr.Munshi for Respondent No.3.

CORAM : DR.S. RADHAKRISHNAN &
S.J. VAZIFDAR, JJ.
DATED : 3RD MAY, 2006.

P.C. :

1. Heard the learned counsel for the Appellants and the learned counsel for the Respondents.

2. After hearing the parties for some time, Mr.Rao, the learned counsel for the Appellants categorically assures that the Appellants will strictly abide by the terms and conditions as mentioned in the Deed of Partnership dated 12.11.1998.

3. Mr.Singh, the learned senior counsel for

Respondent Nos.1 and 2 states that Respondent Nos.1 and 2 will pay Appellant No.1 Rs.60,000/- per month for her maintenance as Respondent Nos.1 and 2 were doing prior to 27.5.2005 when the award was passed. Mr.Singh also states that all the out-goings with regard to the property wherein Appellant Nos.1 and 2 stay will be borne by Respondent Nos.1 and 2.

4. Both the learned counsel for the Appellants and the Respondents state that none of them will dispose of any of the immovable property.

5. Mr.Rao, the learned counsel for the Appellants states that the Appellants will not in any manner object to Respondent Nos.1 and 2 raising finance for the purpose of the business.

6. Hearing of the above Appeal is expedited.

(DR.S. RADHAKRISHNAN, J.)

(S.J. VAZIFDAR, J.)